

# ***THE OFFICE OF THE GOVERNOR***

***EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE***

## ***EXECUTIVE ORDER NO. 2000-10***

### ***CONTINUING PROVISIONS FOR STATE COOPERATION WITH THE FEDERAL INSURANCE ADMINISTRATION UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED, REPEALING AND REPLACING EXECUTIVE ORDER NO. 96-16***

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*WHEREAS, uneconomic uses of the state's floodplains have occurred and potential flood losses have increased despite substantial efforts to control floods; and*

*WHEREAS, national, state, and local studies of areas and property subject to flooding predict increases in flood damage potential and flood losses, despite continuing investment in flood protection structures; and*

*WHEREAS, the State of Idaho maintains programs for the construction of buildings, roads, and other facilities and annually acquires and disposes of lands in flood hazard areas, significantly influencing patterns of commercial, residential, and industrial development; and*

*WHEREAS, the availability of flood insurance under the National Flood Insurance Program, as provided by the National Flood Insurance Act of 1968, as amended, is dependent upon state coordination of federal, state, and local activities to manage floodplains, mudslide (i.e., mudflow) areas, and flood-related erosion areas in the state; and*

*WHEREAS, the Department of Water Resources is the state agency responsible for assisting with local regulations necessary for flood insurance provided by the National Flood Insurance Act of 1968 and regulations set forth in 44 CFR §60.25; and*

*WHEREAS, the Federal Insurance Administration has promulgated and adopted rules and regulations governing eligibility of state and local communities to participate in the National Flood Insurance Program, which participation depends on state coordination of federal, state, and local activities to manage floodplains, mudslide (i.e. mudflow) areas, and flood-related erosion areas in the state;*

*NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order as follows:*

- 1. The Department of Water Resources is hereby designated to assist in the implementation of 44 CFR §60.25, Rules and Regulations of the Federal Insurance Administration and will encourage a broad and unified effort to prevent uneconomic use and development of the state's floodplains and, in particular, to lessen the risk of flood losses in connection with state lands and installation and state-financed or supported improvement, specifically as follows:*
- 2. Under the leadership and direction of the Department of Administration, all state agencies directly responsible for the construction of buildings, structures, roads, or other facilities shall preclude the uneconomic, hazardous, or unnecessary use of floodplains in connection with such facilities; in the event of construction in the floodplain, management criteria set forth in 44 CFR §60.3, 60.4, and 60.5 of the National Flood Insurance Regulations shall apply; flood-proofing measures shall be applied to existing facilities in order to reduce flood damage potential;*
- 3. All state agencies responsible for the administration of grant or loan programs involving the construction of building, structures, roads, or other facilities shall evaluate flood hazards in connection with such facilities and, in order to minimize the exposure of facilities to potential flood damage and the need for future state expenditures for flood protection and flood disaster relief, shall preclude the uneconomic, hazardous, or unnecessary use of floodplains in such connection;*

4. *All state agencies responsible for the disposal of lands or properties shall evaluate flood hazards in connection with lands or properties proposed for disposal to other public instrumentalities or private interests and, in order to minimize future state expenditures for flood protection and flood disaster relief, shall notify those instrumentalities and private interests that such hazards exist;*
5. *All state agencies responsible for programs which affect land use planning, including state permit programs, shall take flood hazards into account when evaluating plans and shall encourage land use appropriate to the degree of hazard involved; and*
6. *In evaluating flood hazard potential, all state agencies shall coordinate their work with the Department of Water Resources to assure that the most up-to-date data and/or methods of analysis are utilized.*
7. *As may be permitted by law, the head of each state agency shall issue appropriate rules and regulations to govern the carrying out of the provisions of Section 1 of this order by his agency to be coordinated with the Department of Administration.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 3<sup>rd</sup> day of May in the year of our Lord two thousand and of the Independence of the United States of America the two hundred twenty-fourth and of the Statehood of Idaho the one hundred-tenth.*

A handwritten signature in black ink, reading "Dirk Kempthorne", written over a horizontal line.

DIRK KEMPTHORNE  
GOVERNOR

A handwritten signature in black ink, reading "Pete T. Cenarrusa", written over a horizontal line.

PETE T. CENARRUSA  
SECRETARY OF STATE